

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

KFORCE, INC.,

Plaintiff,

-v-

THOMASRILEY STRATEGIES, L.L.C.,

Defendant.

Civil Action No. 1:19-cv-656

Hon. Liam O’Grady

Hon. John F. Anderson

ORDER

Before the Court is the Plaintiff’s Motion for Default Judgment. Dkt. 9. Judge Anderson issued a Proposed Findings of Fact and Recommendations on August 23, 2019. Dkt. 14. The Court has reviewed the pleadings in this case, as well as the Proposed Findings of Fact and Recommendations, and hereby **APPROVES** and **ADOPTS** the findings of Judge Anderson with the following minor notations:

In November 2018, Defendant sent a partial payment of \$40,500.00 toward the fifth installment payment with no restrictive notation, which Plaintiff accepted (Dkt. 1 ¶ 20);

On or about December 11, 2018, Defendant sent a partial payment of \$40,500.00 via check with the restrictive notation “NOV Re payment Paid in full,” which Plaintiff rejected and Defendant never cured (Dkt. 1 ¶¶ 21-22);

Plaintiff agreed to calculate accrual of interest owed for the \$1,042,479.18 breach of the Settlement Agreement “at the annual rate of 8% from November 6, 2018 to August 23, 2019


(i.e., 290 days),” which results in \$66,261.64, not \$66,261.69 as is noted in the pleadings at (Dkt. 10 at 14); and

Plaintiff “expects that the Court will deem August 23, 2019 as the date to calculate Defendant’s ‘complete payment,’ even though Kforce will still not have received actual payment on the debt owed,” thus accrual of interest is deemed to have ceased on that date. *Id.* at n.5.

Therefore, it is hereby **ORDERED** that Plaintiff’s motion is **GRANTED**, and default judgment shall enter for the Plaintiff in the total amount of \$1,197,440.09, of which \$1,042,479.18 is the damages award for Plaintiff, \$66,261.64 is interest accrued, and \$88,699.27 is attorney’s fees and costs.

It is **SO ORDERED**.

September 19, 2019
Alexandria, Virginia



Liam O’Grady
United States District Judge